

Section \$

Docket No. 13761-7001

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[X] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

[] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner _____ at Facsimile No. _____ at _____ a.m./p.m.

Dated: July 25, 2001

Name of Person Certifying: _____

Printed Name: Laer Barrett

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Lenz, et. al.	Assignee:
Filing Date:	April 2, 2001	Examiner:
Serial No.:	09/824,629	Group Art Unit: 1645
Title:	Manganese Superoxide Dismutase Gene Polymorphism for Predicting Cancer Susceptibility	

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

Submission of Missing Parts of Application Under 37 C.F.R. 1.53

Sir:

In response to the Notice of Missing Parts of Application mailed on June 6, 2001, enclosed are the following items for filing in the above-referenced U.S. Patent Application:

- ☒ Declaration and Power of Attorney [3] page(s)
Payment for surcharge for late filing ☒ \$65.00 *small entity* ☐ \$130.00 *large entity*
- ☐ A Petition for Extension of Time. (_ months), [] page(s) Fee \$ _____
- ☒ Applicant(s) claim Small Entity Status under 37 CFR § 1.27.
- ☒ Copy of Notice of Missing Parts of Application dated June 6, 2001.
- ☐ Request for Refund under 37 CFR 1.28(a) for the overpayment of the filing fee and surcharge.
- ☒ Return Postcard.
- ☒ Substitute drawings in compliance with 37 C.F.R. 184 (Figures 1 and 2).
- ☒ Statement regarding Sequence Listing

- ☒ Preliminary Amendment
- ☒ Computer readable copy of Sequence Listing and written copy of Sequence Listing.

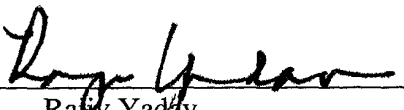
TOTAL FEES: \$510.00

- ☐ Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this communication have been considered.
- ☒ Check in the amount of \$510.00 to cover the Total Fees due is enclosed.
- ☐ Please charge the above fee(s) to Deposit Account No. _____, Docket No. _____, in the amount of \$_____ to cover the above fees. *A duplicate copy of this sheet is attached.*
- ☒ The Commissioner is hereby authorized to charge payment of any additional fees due or credit any overpayment to Deposit Account No. 50-1192, Docket No. 13761-7001. *A duplicate copy of this sheet is enclosed.*

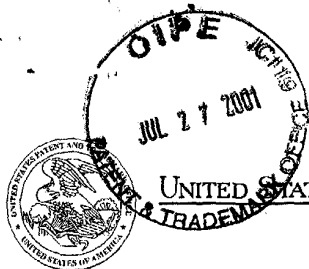
Having now complied with all of the requirements of 37 C.F.R. 1.53, applicant respectfully requests that this application be placed upon the files for examination.

Date: July 25, 2001

Respectfully submitted,

By: 
Rajiv Yadav
Registration No. 43,999

McCutchen, Doyle, Brown & Enersen, LLP
Three Embarcadero Center, 18th Floor
San Francisco, California 94111
Telephone: (213) 680-6678
Telefax: (213) 680-6499



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/824,629	04/02/2001	Heinz-Josef Lenz	13761-7001

CONFIRMATION NO. 8935

FORMALITIES LETTER



OC000000006155629

Rajiv Yadav
McCutchen, Doyle, Brown & Enersen, LLP
Three Embarcadero Center, 28th Floor
San Francisco, CA 94111

Date Mailed: 06/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$90.
 - \$90 for 10 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 510.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

06/06/2001 10:00:00 AM RECEIVED


06/06/2001 10:00:00 AM
06/06/2001 10:00:00 AM

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE